

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**UNITED STATES OF AMERICA**

**V.**

**CAUSE NO. 3:15CR69HTW-FKB-001**

**SAM WAGGONER**

**MOTION FOR CONTINUANCE**

COMES NOW, your defendant, Sam Waggoner, by and through the undersigned counsel and files this his Motion for Continuance in the above styled and referenced cause and as grounds in support of same would respectfully state unto this Honorable Court the following to wit:

1.

The case is currently scheduled for sentencing on January 25th of 2016.

2.

In addition, the AUSA prosecuting the case does not have an objection to the continuance.

3.

Lastly, the Defendant is currently admitted to St. Dominic's Hospital as the result of another heart procedure, and is experiencing complications from that procedure.

4.

That your defendant after being fully advised of his rights pursuant to the Speedy Trial Act, hereby agrees to this requests and specifically waives the time period covered by this continuance, if granted and further states that the request is not for delay, but, is in the interests of justice and fairness.

WHEREFORE, PREMISES CONSIDERED your defendant, Sam Waggoner, by and through undersigned counsel respectfully requests that his Motion for Continuance be received and considered by this Honorable Court and after same and Order issue granting continuance of the previously sentencing date in this cause.

Respectfully Submitted

SAM WAGGONER,  
Defendant

BY: /s/ Nicholas R. Bain  
NICHOLAS R. BAIN,  
Attorney for Defendant

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**CERTIFICATE OF SERVICE**

I, Nicholas R. Bain, hereby certify that on October 27, 2015, I did electronically file the foregoing Motion to Continue with the Clerk of the Court using the ECF system which sent notification of such filing to the United States Attorney Office.

This the 15<sup>th</sup> of January, 2016.

/s/ Nicholas R. Bain